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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

CECIL SIMMONS : DOCKET NO. 2: 04 CV 1159

VS. : JUDGE MINALDI


JO ANNE B. BARNHART, : MAGISTRATE JUDGE WILSON
COMMISSIONER OF SOCIAL
SECURITY

JUDGMENT

Having considered the Report and Recommendation of the Magistrate Judge filed previously herein, after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, for the reasons stated in the corresponding Memorandum Ruling by this court, having determined that additional evidence is necessary to determine whether the plaintiff is literate,

IT IS ORDERED that this matter be remanded for a determination of whether the plaintiff is literate and capable of sedentary work.

Lake Charles, Louisiana, this 24 day of January, 2006.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE